

**NATURAL RESOURCE COMMISSION[571]**

**Adopted and Filed**

**Rule making related to “no anchoring” and “no boating” zoned areas on Rathbun Lake**

The Natural Resource Commission (Commission) hereby amends Chapter 40, “Boating Speed and Distance Zoning,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 462A.26 and 462A.32.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 462A.26 and 462A.32.

*Purpose and Summary*

These amendments create new subrules allowing for the designation of “no anchoring” and “no boating” zoned areas on Rathbun Lake, which is located primarily in Appanoose County. Such zoned areas could be designated at locations where these activities would pose a risk to human safety or threaten to damage property. Current rules allow for zoned areas on Rathbun Lake that restrict the speed of watercraft and designate swimming and wading areas.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on February 12, 2020, as **ARC 4918C**. A public hearing was held on March 3, 2020, at 12 noon at the Wallace State Office Building, Des Moines, Iowa. No members of the public attended this hearing. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Commission on August 13, 2020.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa. A copy of the fiscal impact statement is available from the Department upon request.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

*Waivers*

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s

meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on October 14, 2020.

The following rule-making actions are adopted:

ITEM 1. Adopt the following new subrule 40.5(3):

**40.5(3)** Areas may be designated as “no anchoring” areas.

ITEM 2. Adopt the following new subrule 40.5(4):

**40.5(4)** Areas may be designated as “no boating” areas.

[Filed 8/19/20, effective 10/14/20]

[Published 9/9/20]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 9/9/20.